



CALIFORNIA STATE PERSONNEL BOARD

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ARNOLD SCHWARZENEGGER, Governor



SUMMARY MINUTES – OCTOBER 3, 2008

OPEN SESSION OF THE STATE PERSONNEL BOARD

1. ROLL CALL

MEMBERS PRESENT:

Richard Costigan, Vice President
Anne Sheehan, Member
Patricia Clarey, Member

2. REPORT OF THE EXECUTIVE OFFICER

- Suzanne M. Ambrose

- October is Disability Awareness Month and the Executive Officer, Phyllis Cheng, Director, DFEH, and Tony Sauer, Director, DOR, spoke at the SDAC Conference on promoting and employing people with disabilities. The conference was well attended and Jerry Gibbons, SPB's LEAP coordinator did a presentation on the LEAP program.
- SPB has started its CSECC (California State Employees Charitable Campaign). Earlier this week SPB had a silent cake auction and has several other fundraising events that will take place throughout the month to raise money for the campaign.
- The Executive Officer met with Dean Lan of California Civil Rights Officer's Council (CCROC). The council will put together a working group to help SPB improve their workforce analysis reporting.
- There is a Workforce Planning Conference that SPB, DPA and HR MOD are sponsoring taking place on November 5th. There will be approximately 250 people attending the all-day conference at the Franchise Tax Board facility and staff from SPB, DPA and HR MOD will be presenting and facilitating break-out sessions.
- The Executive Officer attended her first Executive Advisory Committee Meeting for the 21st Century Project last week along with Wil Bush, Director of DGS, Teri Takai, the CIO, PK Agarwal, Director of the DTS, and Dave Gilb, Director of DPA.
- SPB's CEA bill was signed into law. Retired Annuitants are now able to apply directly for CEA examinations.
- SPB's Appeals Division Chief, Paul Ramsey, Presiding ALJ, Alvin Gittisriboongul, and other staff ALJs spent the last week in July conducting their pre-hearing settlement conferences. They had a 55% success rate and handled in excess of 50 cases.

3. REPORT OF THE ACTING CHIEF COUNSEL

- Bruce Monfross

- The Receiver's Office and SPB filed a joint report to the court regarding continuing efforts to establish a disciplinary review process

for the Department of Corrections and Rehabilitation. On September 26, 2008, the court issued a statement that it would be beneficial for SPB and the Receiver's Office to continue discussions regarding the process.

- The court is requesting another joint report to be filed by November 21, 2008, concerning what progress has been made on establishing the disciplinary review process.

4. REPORT ON LEGISLATION

- Carol Ong

- Both of the Board's sponsored bills are now chaptered:
AB 3042 - SPB's bill on delivery & service options.
SB 1472 - SPB's bill allowing prior permanent state employees, as well as former legislative & nonelected exempt employees, to apply for CEA exams.
- Also, signed by the Governor & effective January 1, 2009:
AB 2641 - which would authorize the Governor & each state agency to appoint a mediator to resolve complaints & other issues from state employees that are members of the CA Nat'l Guard or the U.S. Armed Forces.
AB 3065 - which would allow veterans to apply for promotional civil service exams, including CEA's.
- On another note, **SB 1505**, relating to streamlining the Whistleblower Protection Act process was vetoed.
- Staff will be preparing a "pinkie" for distribution to notify all interested parties of the law changes.

5. REPORT ON THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM

- Anne Sheehan

- Member Sheehan gave a brief report on the activities of the California Public Employees Retirement System.

6. REPORT OF THE DEPARTMENT OF PERSONNEL ADMINISTRATION

- Belinda Collins, DPA Representative

- SPB and DPA are hosting the Workforce Planning Conference on November 5, 2008.
- DPA's Classification and Compensation Division will be rolling out a new Human Resource Quality Review program. DPA will announce the program with a PML to be issued to all Departments. It is geared towards position allocations and delegated processes that the Departments work under. DPA will work with Departments to find out

where they need help, conduct a review (about 4-6 months) of their activities and offer training in the areas that they need help in.

- DPA will monitor the HR divisions that have received training and return in approximately 6 months to conduct a final review. The entire process may take up to two years, but DPA hopes this provides an opportunity for each Department to take care of their business needs.
- Open enrollment is has been taking place since September 15, 2008, and lasts through October 10, 2008. CalPERS handles the health care benefits and DPA's Benefits Division handles the dental program, the Flex Elect program, the Vision program, and CoBen. Delta Dental plan premiums for 2009 have not changed.
- Since their last report, DPA has abolished another 42 classes and is now at 3897 total State classifications.

7. REPORT ON THE HUMAN RESOURCES MODERNIZATION PROJECT

- Raye Zentner, HR MOD Representative

- HR MOD and SPB staff have been working together to administering consortium exams for the Staff Counsel classification and the Environmental Scientist classification.
- HR MOD will be working with a work group of Departments that are going to help administer exams. HR MOD anticipates bringing those exams up under the current exam system so there can be on-line availability for people to file for those particular classifications.
- HR MOD has a meeting scheduled with the LAO this month to discuss the project status, activities, and accomplishments. In discussions with the sponsors of the HR MOD project, it has been determined that staff will send a quarterly report to the Legislature to inform and update them of the progress with the HR MOD efforts.
- The original funding for HR MOD was provided through the General Fund, although due the current budget climate the funding is under review. HR MOD was successful in getting additional funding through the Special Fund, but there may be some cuts that will have to take place due to the General Fund cut that is forthcoming.
- HR MOD had its first advisory committee meeting that consists of Dave Gilb, Suzanne Ambrose, Mary Fernandez, and Debbie Endsley. In addition to those sponsors, Vicki Bradshaw, Anne Boyton, and Christy Quinlan, and Cynthia Bryant also attended the meeting. The group will be meeting on a quarterly basis and the next meeting will be scheduled for January 2009.

8. DISCUSSION OF UPCOMING BOARD MEETING SCHEDULED FOR OCTOBER 21, 2008, IN SACRAMENTO, CALIFORNIA.

NONE

9. NEW BUSINESS

NONE

10. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

NONE

11. INFORMATIONAL HEARING

- SPB Representatives

SPB Staff will present different options for administering the State Employee Mediation Program in light of resource limitations. Interested parties are invited to comment.

ACTION: SUBMITTED

12. ORAL ARGUMENT

In the matter of **CASE NO. 04-1782A**. Appeal from constructive medical suspension. Correctional Counselor I. Department of Corrections and Rehabilitation.

ACTION: SUBMITTED

13. ORAL ARGUMENT

In the matter of **PSC 08-10**. Appeal by the Department of General Services from the Executive Officer's May 19, 2008, Decision disapproving a Personal Services Contract for Information Technology Services.

ACTION: SUBMITTED

CLOSED SESSION OF THE STATE PERSONNEL BOARD

14. EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, AND OTHER APPEALS

Deliberations to consider matters submitted at prior hearing.
[Government Code Sections 11126(c)(3), 18653(3)]

15. DELIBERATION ON NON-EVIDENTIARY CASES AND ADVERSE ACTIONS, DISCRIMINATION COMPLAINTS, AND OTHER PROPOSED DECISIONS SUBMITTED BY ADMINISTRATIVE LAW JUDGES

Deliberations on proposed, rejected, remanded, and submitted decisions, petitions for rehearing, and other matters related to cases heard by Administrative Law Judges of the State Personnel Board or by the Board itself.

[Government Code sections 11126(c)(3), 18653]

16. PENDING LITIGATION

Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.
[Government Code sections 11126(e)(1), 18653.]

California Highway Patrol, et al. v. State Personnel Board, et al.
Sacramento Superior Court
Case No. 34-2008-00002G14-CU-WM-GDS

California Department Corrections and Rehabilitation, et al. v. State Personnel Board, et al.
Sacramento Superior Court
Case No. 34-2007-00883875-CU-WM-GDS

Patrick McCollum v. State of California
United States District Court, Northern District of California
Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.
Case No. C01-1351 TEH

Yvonne Walker, Service Employees International Union, Local 1000 v. Arnold Schwarzenegger, et al., Sacramento Superior Court Case No. 34-2008-40000001-CU-PT-GDS

17. RECOMMENDATIONS TO THE LEGISLATURE

Deliberations on recommendations to the Legislature.
[Government Code section 18653]

18. RECOMMENDATIONS TO THE GOVERNOR

Deliberations on recommendations to the Governor.
[Government Code section 18653]

19. EMPLOYEE PERSONNEL MATTER

Discussion concerning the appointment and employment of Chief Counsel candidates. [Government Code section 11126(a)(1)]

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

BOARD ACTIONS:

20. ADOPTION OF THE STATE PERSONNEL BOARD SUMMARY MINUTES OF THE SEPTEMBER 3, 2008, BOARD MEETING.

ACTION: ADOPTED

VOTE: Costigan, Sheehan, Clarey – Aye

21. RESOLUTION EXTENDING TIME PURSUANT TO GOVERNMENT CODE SECTION 18671.1

ACTION: ADOPTED

VOTE: Costigan, Sheehan, Clarey – Aye

22. SUBMITTED ITEMS

These items have been taken under submission by the State Personnel Board at a prior meeting and may be before the Board for a vote at this meeting.

A. DEPARTMENT OF TRANSPORTATION'S CAREER EXECUTIVE ASSIGNMENT (CEA) PROPOSALS UNDER CONSIDERATION (Multiple Districts)

Staff from PEGC requested a hearing to discuss multiple CEA proposals that were listed on the March 25, 2008, State Personnel Board Agenda. PEGC and CalTrans Director Wil Kempton addressed the five-member Board on August 8, 2008. The Board took the matter under submission.

NO ACTION

B. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION'S PROPOSED ESTABLISHMENT OF NEW CLASS, MENTAL HEALTH THERAPIST

Department of Corrections and Rehabilitation proposed the establishment of a new class, Mental Health Therapist, Correctional Facility, with a twelve month probationary period and designation of the class as sensitive under State Personnel Board Rule 213 for the purpose of pre-employment drug testing.

NO ACTION

23. ANNOUNCEMENT OF ACTION TAKEN ON EVIDENTIARY CASES

On October 3, 2008, the Board took the following action on the cases listed as presented by Bruce Monfross, Acting Chief Counsel, California State Personnel Board.

VOTE: Costigan, Sheehan, Clarey – Aye

A. BOARD CASES SUBMITTED

(1) CASE NO. 07-1490

Appeal from five percent reduction in salary for 12 months

Classification: Correctional Sergeant

Department: Department of Corrections and
Rehabilitation

Case taken under submission at the September 23, 2008
Board meeting.

NO ACTION

(2) CASE NO. 06-0817A

Appeal from dismissal

Classification: Industrial Relations Counsel IV

Department: Department of Industrial Relations
Proposed decision rejected March 25, 2008.

Transcript prepared.

Oral argument set for June 9-10, 2008, Sacramento.

Oral argument continued.

Oral argument heard July 8, 2008, Sacramento.

Case ready for decision by FULL Board.

NO ACTION

(3) CASE NO. 07-2581A

Appeal from rejection during probation

Classification: Correctional Officer Cadet

Department: Department of Corrections and
Rehabilitation

Proposed decision rejected on May 13, 2008.

Transcripts prepared.

Oral argument heard September 3, 2008, Sacramento.

Case ready for decision by FULL Board.

**ACTION: The Board issued a non-precedential decision
revoking rejection during probation and reinstating
appellant as Correctional Officer Cadet.**

(4) CASE NO. 07-1295A

Appeal from dismissal

Classification: Fire Apparatus Engineer-Paramedic

Department: Department of Forestry and Protection
Proposed decision rejected on May 13, 2008.

Transcripts prepared.

Oral argument heard September 3, 2008, Sacramento.

Case ready for decision by FULL Board.

NO ACTION

(5) **CASE NO. 07-2966EA**

Appeal from discrimination complaint

Classification: Environmental Planner

Department: Department of Transportation

Proposed decision rejected May 13, 2008.

Transcripts prepared.

Oral argument heard September 3, 2008, Sacramento.

Case ready for decision by FULL Board.

ACTION: The Board issued a non-precedential decision remanding the case for hearing before a different Administrative Law Judge, with instructions precluding Appellant from re-litigating any issue related to her prior rejection during probation.

B. ORAL ARGUMENTS

(1) **CASE NO. 04-1782A**

Appeal from constructive medical suspension

Classification: Correctional Counselor I

Department: Department of Corrections and Rehabilitation

ACTION: SUBMITTED

(2) **PSC 08-10**

Appeal from Executive Officer's disapproval of Personal Services Contracts for Information Technology Services

Department: Department of General Services

ACTION: SUBMITTED

C. CHIEF COUNSEL RESOLUTIONS, REMANDS, STIPULATIONS, OTHER

(1) **CASE NO. 08-1971**

Request for Order to Show Cause against the Department of Water Resources.

ACTION: The Board issued a Resolution denying Appellant's request to modify the terms of the stipulation for settlement.

(2) **CASE NO. 01-2978BRB**

Request for Back Pay Hearing

ACTION: The Board issued a Resolution remanding the case for a Back Pay Hearing before an Administrative Law Judge.

(3) **CASE NOS. 06-0485, 05-3526, & 06-2216**

Stipulation for Settlement

ACTION: The Board issued a Resolution rejecting the proposed stipulation for settlement.

D. **ADMINISTRATIVE LAW JUDGES' PROPOSED DECISIONS**

PROPOSED DECISIONS AFTER HEARING

(1) **CASE NO. 03-3679B**

Appeal for back pay determination

Classification: Licensed Vocational Nurse

Department: Department of Developmental Services

ACTION: The Board adopted the ALJ's Proposed Decision.

(2) **CASE NO. 07-2631**

Appeal from dismissal

Classification: Registered Nurse

Department: Department of Corrections and Rehabilitation

ACTION: The Board adopted the ALJ's Proposed Decision.

(3) **CASE NO. 07-1335**

Appeal from dismissal

Classification: Correctional Officer

Department: Department of Corrections and Rehabilitation

ACTION: The Board adopted the ALJ's Proposed Decision.

(4) **CASE NO. 07-3175**

Appeal from rejection during probation

Classification: Licensed Vocational Nurse

Department: Department of Corrections and Rehabilitation

ACTION: The Board adopted the ALJ's Proposed Decision.

- (5) **CASE NO. 06-3644**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision, but clarified that the Kendrick Decision cited is on appeal to the 2nd District Court of Appeal.
- (6) **CASE NO. 06-0332**
Appeal from ten percent reduction in salary for six months
Classification: Highway Maintenance Worker
Department: Department of Transportation
ACTION: The Board adopted the ALJ's Proposed Decision.
- (7) **CASE NO. 08-0039**
Appeal from non-retention
Classification: Assistant Vice President (Student Affairs-Student Services)
Department: California State University, Los Angeles
ACTION: The Board adopted the ALJ's Proposed Decision.
- (8) **CASE NO. 05-3443**
Appeal from dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision.
- (9) **CASE NO. 06-0562**
Appeal from dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
ACTION: SUBMITTED
- (10) **CASE NO. 08-0342**
Appeal from rejection during probation
Classification: Investigator I
Department: Department of Alcohol Beverage Control
ACTION: The Board adopted the ALJ's Proposed Decision.

- (11) **CASE NO. 07-3822**
Appeal from medical demotion
Classification: Psychiatric Technician (Safety)
Department: Department of Mental Health
ACTION: The Board adopted the ALJ's Proposed Decision.
- (12) **CASE NO. 06-0381E & 06-2063E**
Appeal for whistleblower retaliation complaint and merit complaint
Classification: Supervising Real Estate Officer
Department: Department of General Services
ACTION: The Board adopted the ALJ's Proposed Decision.
- (13) **CASE NO. 07-0996**
Appeal from dismissal
Classification: Physician and Surgeon
Department: Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision.
- (14) **CASE NO. 05-3491**
Appeal from five percent reduction in salary for six months
Classification: Disability Evaluation Analyst II
Department: Department of Social Services
ACTION: The Board adopted the ALJ's Proposed Decision.
- (15) **CASE NO. 06-2897E**
Appeal from whistleblower retaliation complaint
Classification: Staff Services Manager II
Department: California Earthquake Authority
ACTION: SUBMITTED
- (16) **CASE NO. 06-3579**
Appeal from ten percent reduction in salary for 24 months
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision.

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(17) CASE NO. 05-3312B

Appeal for back pay determination

Classification: Correctional Captain

Department: Department of Corrections and Rehabilitation

ACTION: The Board rejected the ALJ's Proposed Decision, finding instead that because the stipulation for settlement did not provide for an award of interest, no interest is chargeable against the defendant.

(18) CASE NO. 07-1534E

Appeal from denial of reasonable accommodation

Classification: Supervising Registered Nurse II

Department: Department of Corrections and Rehabilitation

ACTION: The Board adopted the ALJ's Proposed Decision.

PROPOSED DECISIONS AFTER BOARD REMAND

NONE

PROPOSED DECISIONS AFTER SPB ARBITRATION

NONE

E. PETITIONS FOR REHEARING

(1) CASE NO. 07-1838NP

Appeal from withhold from certification

Classification: Correctional Officer

Department: Department of Corrections and Rehabilitation

ACTION: DENIED

(2) CASE NO. 06-0446P & 06-0719P

Appeals from dismissal

Classification: Correctional Officer

Department: Department of Corrections and Rehabilitation

ACTION: DENIED

(3) CASE NO. 08-0880EP

Appeal from whistleblower retaliation complaint

Classification: Employment Program Representative

Department: Employment Development Department

ACTION: DENIED

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(4) CASE NO. 07-2893P

Appeal from rejection during probation

Classification: Health Program Specialist I

Department: Department of Corrections and Rehabilitation

ACTION: DENIED

(5) CASE NO. 07-2608P

Appeal from five percent reduction in salary for nine months

Classification: Office Technician

Department: Department of Corrections and Rehabilitation

ACTION: DENIED

ALJ PROPOSED DECISIONS ADOPTED BY THE BOARD

F. PENDING BOARD REVIEW

(1) CASE NO. 06-2706PA

Appeal from dismissal

Classification: Correctional Sergeant

Department: Department of Corrections and Rehabilitation

Petition for rehearing granted April 7, 2008.

Transcript prepared.

Oral argument set for August 8, 2008, Sacramento.

Oral argument continued.

Oral argument set for October 3, 2008, Sacramento.

Oral argument continued.

Oral argument set for November 3, 2008, Sacramento.

(2) CASE NO. 04-1782A

Appeal from constructive medical suspension

Classification: Correctional Counselor I

Department: Department of Corrections and Rehabilitation

Proposed decision rejected June 24, 2008.

Transcripts prepared.

Oral argument set for October 3, 2008, Sacramento.

(3) CASE NO. 05-4338EA & 05-4339

Appeal from denial of reasonable accommodation and constructive medical termination

Classification: Registered Nurse

Department: Department of Corrections and Rehabilitation
Proposed decision rejected September 23, 2008
Pending Transcript.

(4) CASE NO. 06-2737PA

Appeal from dismissal

Classification: Correctional Sergeant

Department: Department of Corrections and Rehabilitation

Petition for rehearing granted April 22, 2008.

Transcripts prepared.

Oral argument set for August 8, 2008, Sacramento.

Oral argument continued.

Oral argument set for October 3, 2008, Sacramento.

Oral argument continued.

Oral argument set for November 3, 2008, Sacramento.

24. ANNOUNCEMENT OF ACTION TAKEN ON NON-EVIDENTIARY CASES

On October 3, 2008, the Board took the following action on the cases listed as presented by Bruce Monfross, Acting Chief Counsel, California State Personnel Board.

VOTE: Costigan, Sheehan, Clarey – Aye

A. WITHHOLD APPEALS

WITHHOLD FROM CERTIFICATION
CASES NOT HEARD BY A STAFF HEARING OFFICER

(1) CASE NO. 07-1644N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; close association with convicted felons.

ACTION: DENIED

(2) CASE NO. 08-1644N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; hard drug use within ten years of application.

ACTION: GRANTED

- (3) CASE NO. 06-2535N**
Classification: Cadet
Department: California Highway Patrol
Issue: Suitability; omitted pertinent information and negative driving history.
ACTION: DENIED
- (4) CASE NO. 07-1027N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug use within ten years of application.
ACTION: DENIED
- (5) CASE NO. 07-4005N**
Classification: Cadet
Department: California Highway Patrol
Issue: Suitability; negative driving history.
ACTION: DENIED
- (6) CASE NO. 06-4002N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information.
ACTION: DENIED
- (7) CASE NO. 07-1571N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative employment history and omitting pertinent information.
ACTION: DENIED
- (8) CASE NO. 06-3999N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information and furnishing inaccurate information.
ACTION: DENIED

- (9) **CASE NO. 06-2524N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to register with the Selective Service System.
ACTION: DENIED
- (10) **CASE NO. 07-2531N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information and negative employment history.
ACTION: DENIED
- (11) **CASE NO. 07-2748N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative employment history and an arrest/conviction record.
ACTION: DENIED
- (12) **CASE NO. 07-1645N**
Classification: Parole Agent I
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative employment history.
ACTION: DENIED
- (13) **CASE NO. 07-3349N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omission of pertinent information and negative employment history.
ACTION: DENIED
- (14) **CASE NO. 06-2875N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; lifetime firearms prohibition.
ACTION: DENIED

- (15) **CASE NO. 06-2751N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to register with the Selective Service System.
ACTION: DENIED
- (16) **CASE NO. 06-4744N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to provide complete and accurate information.
ACTION: DENIED
- (17) **CASE NO. 07-3239N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information.
ACTION: DENIED
- (18) **CASE NO. 06-3892N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; inmate association, furnishing inaccurate information and omitting pertinent information.
ACTION: DENIED
- (19) **CASE NO. 06-4497N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; three misdemeanor convictions within five years of application.
ACTION: DENIED
- (20) **CASE NO. 07-3094N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative work history.
ACTION: DENIED

- (21) **CASE NO. 07-0725N**
Classification: Cadet
Department: California Highway Patrol
Issue: Suitability; omitting pertinent information.
ACTION: DENIED
- (22) **CASE NO. 07-0961N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative law enforcement contacts.
ACTION: DENIED
- (23) **CASE NO. 07-1828N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information, arrest/conviction record and negative law enforcement contacts.
ACTION: DENIED
- (24) **CASE NO. 07-1857N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug use within ten years of application.
ACTION: DENIED
- (25) **CASE NO. 07-3157N**
Classification: Youth Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative employment history.
ACTION: DENIED
- (26) **CASE NO. 07-1900N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug use within ten years of application.
ACTION: DENIED

- (27) **CASE NO. 06-3885N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to register with Selective Service System.
ACTION: GRANTED
- (28) **CASE NO. 07-0577N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative work history and failure to provide complete and accurate information.
ACTION: DENIED
- (29) **CASE NO. 07-1801N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information and furnishing inaccurate information.
ACTION: DENIED
- (30) **CASE NO. 07-0658N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information and furnishing inaccurate information.
ACTION: DENIED
- (31) **CASE NO. 06-3316N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information.
ACTION: DENIED
- (32) **CASE NO. 07-0564N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative law enforcement contacts and omitting pertinent information.
ACTION: DENIED

- (33) **CASE NO. 07-5393N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to comply with legal obligations.
ACTION: DENIED
- (34) **CASE NO. 07-1092N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug use within ten years of application.
ACTION: DENIED
- (35) **CASE NO. 07-0716N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation.
ACTION: GRANTED
- (36) **CASE NO. 07-0709N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information and negative employment record.
ACTION: DENIED
- (37) **CASE NO. 07-1049N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; a felony conviction.
ACTION: DENIED
- (38) **CASE NO. 07-1989N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation.
ACTION: DENIED

- (39) **CASE NO. 07-1361N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; furnishing inaccurate information, omitting pertinent information and a negative employment history.
ACTION: DENIED
- (40) **CASE NO. 07-1080N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative employment history.
ACTION: DENIED
- (41) **CASE NO. 07-0656N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; a lifetime firearms prohibition.
ACTION: DENIED
- (42) **CASE NO. 07-1649N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; furnishing inaccurate information.
ACTION: GRANTED
- (43) **CASE NO. 06-3083N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; a lifetime firearm prohibition and felony conviction.
ACTION: GRANTED
- (44) **CASE NO. 07-1523N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; five convictions for Driving Under the Influence.
ACTION: DENIED

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(45) CASE NO. 06-3265N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

Issue: Suitability; omitting pertinent information and negative employment history.

ACTION: DENIED

B. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS

CASES HEARD BY A STAFF HEARING OFFICER

(1) CASE NO. 07-2642N

Classification: Cadet

Department: California Highway Patrol

ACTION: DENIED

(2) CASE NO. 06-1606N

Classification: Cadet

Department: California Highway Patrol (CHP)

ACTION: DENIED

(3) CASE NO. 05-3293N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

ACTION: DENIED

(4) CASE NO. 07-1647N

Classification: Cadet

Department: California Highway Patrol

ACTION: DENIED

(5) CASE NO. 07-2076N

Classification: Correctional Officer

Department: California Department of Corrections and Rehabilitation

ACTION: DENIED

DISMISSED CASES

(1) CASE NO. 07-2828N

Classification: Cadet

Department: California Highway Patrol

ACTION: DISMISSED

C. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT
ISSUE COMPLAINTS

NONE

D. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS,
VOIDED APPOINTMENT APPEALS

NONE

E. REQUEST TO FILE CHARGES CASES, PETITION FOR
REHEARING

NONE

25. **ANNOUNCEMENT OF ACTION TAKEN ON NON-HEARING AGENDA
ITEMS**

NO ACTION

A. **BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD
OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO
ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS,
ALTERNATE RANGE CRITERIA, ETC.**

NONE

B. **ABOLISHMENT OF CLASSES THAT HAVE HAD NO
INCUMBENTS FOR MORE THAN TWO YEARS.
DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE
APPROPRIATE UNION HAVE NO OBJECTION TO THE
ABOLISHMENT OF THESE CLASSES.**

**THE DEPARTMENT OF PERSONNEL ADMINISTRATION AND
STATE PERSONNEL BOARD** proposes to abolish the following
unused classifications, which have been vacant for more than
twenty-four months. Departments that utilize the class as well as
the appropriate union have no objection to the abolishment of
these classes. When classes are proposed to be abolished which
are part of a class series, and other classes within the series will
continue to be used, the class specification is included in the
board item.

NONE

26. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION

(1) SPECIAL ADVISOR, TRANSITION TEAM

The Department of Corrections and Rehabilitation: Plata Medical Services proposes to allocate the above position to the CEA category. This position will develop innovative procurement policy and program recommendations for the Receiver's seven new health care facilities and assist the Director by providing guidance, consultation, oversight, technical assistance, and policy interpretation of current administrative standards, laws, rules, and regulations.

(2) CHIEF, BUDGET & FISCAL ANALYSIS BRANCH

The Department of Motor Vehicles proposes to allocate the above position to the CEA category. This position will be responsible for the development and implementation of policies and procedures for the department's budget, the monitoring of all expenditures and the development of costs, the operational implications on pending legislation, and the development and maintenance of the annual fee costing study.

(3) CHIEF, FINANCIAL SERVICES BRANCH

The Department of Motor Vehicles proposes changes to the existing CEA allocation. This position will develop and implement policies affecting the department's fiscal management, provide general oversight and cash management consulting services to programs within the department, serve as the Database Resource Manager for the Fiscal Enterprise Resource Program relative to data capture and reporting, and be accountable for all expenditures incurred and revenue collected by the department.

ACTION: NOTED

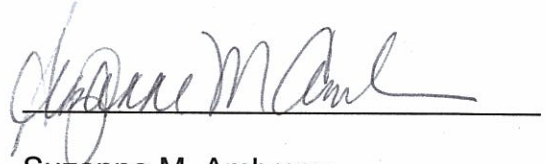
B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS

NONE

A D J O U R N M E N T

I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting held on November 3, 2008.

VOTE: Harrigan, Costigan, Tom, Sheehan – Aye

A handwritten signature in dark ink, appearing to read "Suzanne M. Ambrose", is written over a horizontal line.

Suzanne M. Ambrose
Executive Officer
California State Personnel Board